GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:677
ANSWERED ON:21.02.2003
LEGAL SECTOR TO FOREIGN ADVOCATES
SUBODH MOHITE

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government are facing problems in opening legal sector to foreign advocates as committed by Government and General Agreement on Trade and Tariff;

(b) if so, the details thereof; and

(c) the steps proposed to be taken to meet stiff opposition by the Indian lawyers in this regard?

Answer

MINISTER OF LAW & JUSTICE AND COMMERCE & INDUSTRY (SHRI ARUN JAITLEY)

(a) to (c) : As it is one of the statutory functions of the Bar Council of India to safeguard the rights, privileges and interests of advocates (vide section 7(1)(d) of the Advocates Act, 1961), it was requested for its views on the subject. The Council is totally opposed to the entry of foreign lawyers in India. The Council also adopted a Resolution in its meetings held on 24th and 25th October, 2002, which reads as under:

`The Council considered the letter of Shri R.L. Meena, Law Secretary, addressed to the Chairman, Bar Council of India requesting the Bar Council of India to send comments in the matter to enable the Department of Legal Affairs to offer its comments to the Department of Commerce. After consideration, the Bar Council of India has reiterated its earlier view on the issue of not permitting foreign lawyers and law firms in the country. The Bar Council of India once again strongly opposes the entry of foreign lawyers and its strong views are to be made known to the Ministry of Law and Justice and Company affairs. In this view, the Council has no other views to offer on the subject.`

The Government has so far not taken any dissimilar view.